

## **UTAH STATE COURT ROSTER MEDIATOR AND ARBITRATOR QUALIFICATIONS**

**To be eligible to be on the Court Roster, an applicant must submit a written application to the Program Director which includes:**

- ◆ A description of how the applicant meets the requirements for the specific program;
- ◆ The applicant's areas of specialization and experience;
- ◆ The maximum fees the applicant will charge for service as an ADR provider;
- ◆ A list of the judicial districts where the applicant will provide services and the location of the facilities in which the services will be provided.



**All new applicants to the Basic Court Roster must:**

- ◆ Have successfully completed at least 40 hours of Court approved basic formal mediation training in the last three years. This training shall be under a single training course from a single, court-approved training provider;
- ◆ The new applicant must also complete 10 hours of experience in observing a court qualified mediator conduct mediation, and 10 hours in either conducting mediations singly or co-mediating with a court qualified mediator;
- ◆ Successfully pass an examination on the Code of Ethics for ADR providers;
- ◆ Agree to conduct at least three pro bono mediations each year, at least one of these will be assigned by the Director.
- ◆ Be of good moral character in that the provider has not been convicted of a felony, a misdemeanor involving moral turpitude, or any other serious crime, and has not received professional sanctions that, when considered in light of the duties and responsibilities of an ADR provider, are determined by the Director to indicate that the best interests of the public are not served by including the provider on the roster.

**To be included on the Court Roster for Qualified Divorce Mediators all new applicants must:**

- ◆ Have successfully completed an additional 32 hours of court-approved training specific to the skills, Utah laws, and information needed to conduct divorce mediation in the last three years. This training shall be under a single training course from a single, court-approved provider;
- ◆ All applicants must have a minimum of 6 hours of training specific to domestic violence and screening for domestic violence which may be included in the court approved 32 hour training referred to above;
- ◆ New applicants to the court roster of divorce mediators are required to have acquired experience specific to divorce mediation. This is in addition to the 20 hours of experience required for the court roster of basic mediators. The additional experience

includes having observed a minimum of two divorce mediations, co-mediating two divorce mediations and having been observed conducting two divorce mediations. Each of these includes debriefing and analysis afterward with a mediator who has Domestic Mentor status. The Domestic Mentor may charge a fee for this service.

- ◆ The Director will maintain and make available a list of those mediators who have Domestic Mentor status.

**Once on the Roster, the mediation provider must be re-qualified annually. In order to be re-qualified the applicant must:**

- ◆ Complete and report six hours of dispute resolution related training each year;
- ◆ Submit an annual report to the Director indicating the number and type of mediation sessions completed, including the settlement status, the provider conducted that year;
- ◆ Complete a minimum of three pro bono mediation sessions each year, at least one of these will be assigned by the Director.

**To be included on the roster as an arbitrator, the provider must:**

- ◆ Have been a member in good standing of the Utah State Bar for at least ten years;
- ◆ Agree to conduct at least one pro bono arbitration annually;
- ◆ Be of good moral character in that the provider has not been convicted of a felony, a misdemeanor involving moral turpitude, or any other serious crime, and has not received professional sanctions that, when considered in light of the duties and responsibilities of an ADR provider, are determined by the Director to indicate that the best interests of the public are not served by including the provider on the roster.

**In order to be re-qualified as an arbitrator each year:**

- ◆ The provider must demonstrate that the provider has conducted at least three arbitrations (or 12 hours of arbitration) during the previous year;
- ◆ Conduct at least one pro bono arbitration;
- ◆ Submit an annual report to the Director indicating the number and type of arbitrations, including the settlement status, the provider conducted that year.

A provider may be subject to removal from the roster for failure to comply with the code of ethics for ADR providers or for failure to meet these requirements.